

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHAEL RAY TURNER,

Plaintiff,

vs.

LONG, cpl, badge # unknown; BECKY, stg.,
badg3 # unknown; DAKOTA COUNTY
CORRECTIONAL FACILITY, MARQUEZ,
Cpl. badge # 97052; and ADAM HOUGH,
Sgt., badge # 97053;

Defendants.

8:24CV492

MEMORANDUM AND ORDER

Before the Court is a Motion to Amend (the “Motion”), [Filing No. 57](#), and a proposed amended complaint, [Filing No. 58](#), filed by Plaintiff Michael Ray Turner in compliance with this Court’s orders at [Filing No. 55](#) and [56](#), requiring amendment of the prior complaint. As Plaintiff’s proposed amended complaint was filed in accordance with the prior order, leave to file was not required. However, the Motion shall be granted and treated as a supplement as it contains legal argument and facts in support of the proposed amended complaint. See [Filing No. 57](#).

IT IS THEREFORE ORDERED THAT:

1. Plaintiff’s Motion to Amend, [Filing No. 57](#), is granted. The proposed amended complaint filed at [Filing No. 58](#) (the “Amended Complaint”) shall be the operative complaint. And, to the extent the Motion at [Filing No. 57](#) contains factual support and legal argument for the claims made in Amended Complaint, the Motion shall also be considered a supplement to the Amended Complaint.

2. The Clerk of Court is directed to update the docket text for [Filing No. 57](#) to “Motion to Amend and Supplement to Amended Complaint.”

3. Plaintiff is advised that the next step in his case will be for the Court to conduct an initial review of Plaintiff’s claims as set forth in the Amended Complaint to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The Court will conduct this initial review in its normal course of business.

Dated this 23rd day of April, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Court